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Official Public Records

Tarrant County Texas

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D209263363

3 Pages



Suzanne Henderson

**CITY SECRETARY
CONTRACT NO. _____**

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AMENDMENT OF DESCRIPTION OF OIL AND GAS LEASE

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

WHEREAS, on the 19th day of December, 2008, CITY OF FORT WORTH, as Lessor, heretofore executed an Oil and Gas Lease to XTO ENERGY INC., as Lessee, which is recorded at Clerks Document D209002740, Official Public Records of Tarrant County, Texas, hereinafter referred to as "The Lease", whereby Lessor leased certain lands situated in Tarrant County, Texas, as described in Exhibit "A" of the Lease to wit:

BLOCK 8, SOUTH SIDE ADDITION

0.735 acres of land, more or less, being a called 0.445 of an acre. Situated in the E.P. Parris Survey, A-1222, Tarrant County, Texas, being Lots 35A, 36A and 37A, Block 8, South Side Addition, according to the Plat thereof recorded in Volume 204-A, Page 109, Plat Records, Tarrant County, Texas, and being more particularly described in following two (2) tracts:

First Tract: 0.287 acres of land, more or less, of a called 0.230 of an acre, being Lots 35 and 36, Block 8, South Side Addition, according to the Plat thereof recorded in Volume 204-A, Page 109, Plat Records, Tarrant County, Texas, and being more particularly described by that certain Warranty Deed dated November 22, 1956, from Fred T. Yarbrough and wife, Esther Ruth Yarbrough, to The City of Fort Worth, a municipal corporation, as recorded in Volume 3056, Page 142, Official Public Records of Tarrant County, Texas.

Second Tract: 0.448 acres of land, more or less, of a called 0.215 of an acre, being Lot 37, Block 8, South Side Addition, according to the Plat thereof recorded in Volume 204-A, Page 109, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated November 28, 1956, from Carl Lee Shockey and wife, Lena Emma Shockey, to The City of Fort Worth, a municipal corporation, as recorded in Volume 3058, Page 329, Official Public Records of Tarrant County, Texas.

AND WHEREAS, said description in the Lease is incomplete and indefinite and the lands intended to be covered are more accurately described as follows:

BLOCK 8, SOUTH SIDE ADDITION

0.350 acres of land, more or less, located in the E.P. Parris Survey, Abstract No. 1222, Tarrant County, Texas, being more particularly described as follows:

0.735 acres of land, more or less, being a called 0.445 of an acre. Situated in the E.P. Parris Survey, A-1222, Tarrant County, Texas, being Lots 35A, 36A and 37A, Block 8, South Side Addition, according to the Plat thereof recorded in Volume 204-A, Page 109, Plat Records, Tarrant County, Texas, and being more particularly described in following two (2) tracts:

First Tract: 0.287 acres of land, more or less, of a called 0.230 of an acre, being Lots 35 and 36, Block 8, South Side Addition, according to the Plat thereof recorded in Volume 204-A, Page 109, Plat Records, Tarrant County, Texas, and being more particularly described by that certain Warranty Deed dated November 22, 1956, from Fred T. Yarbrough and wife, Esther Ruth Yarbrough, to The City of Fort Worth, a municipal corporation, as recorded in Volume 3056, Page 142, Official Public Records of Tarrant County, Texas.

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Second Tract: 0.448 acres of land, more or less, of a called 0.215 of an acre, being Lot 37, Block 8, South Side Addition, according to the Plat thereof recorded in Volume 204-A, Page 109, Plat Records, Tarrant County, Texas, and being more particularly described in that certain Warranty Deed dated November 28, 1956, from Carl Lee Shockey and wife, Lena Emma Shockey, to The City of Fort Worth, a municipal corporation, as recorded in Volume 3058, Page 329, Official Public Records of Tarrant County, Texas.

LESS AND EXCEPT: 0.385 of an acre, more or less, being that portion of land described in that certain Warranty Deed dated August 22nd, 1965, from the City of Fort Worth, a municipal corporation of Tarrant County, Texas, to G. R. Gordon, recorded in Volume 4111, Page 288, Official Public Records, Tarrant County, Texas.

NOW, THEREFORE, in consideration of the premises, and for the purposes of making the said lease definite and certain in respect to the identity of the lands to be covered thereby, the undersigned do hereby declare that it was and is their intention to lease for oil and gas purposes the identical tracts of land last above described; and they hereby amend said lease in respect to the description of the lands included therein, as aforesaid, and ratify and adopt the same as so amended.

EXCEPT as otherwise amended the above described lease is and shall remain in full force and effect as written in accordance with its terms and conditions, and the undersigned Lessor recognizes said lease as a valid and sustaining Oil and Gas Lease.

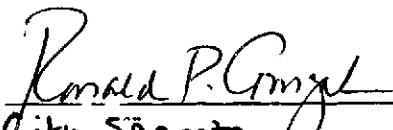
IN WITNESS WHEREOF, this instrument is executed by the undersigned Lessor on the respective date of acknowledgment below, but is effective as of the date of December 19, 2008, date of The Lease.

LESSOR:

CITY OF FORT WORTH

By: 
Assistant City Manager

ATTEST:

By: 
Asst City Secretary

NO M&C REQUIRED

APPROVED AS TO FORM AND LEGALITY:

By: 
Assistant City Attorney

Date: 8/31/09

LESSEE:

XTO ENERGY INC.

By: Edwin S. Ryan, Jr.

Name: Edwin S. Ryan, Jr.
Senior Vice President – Land Administration

Title: _____

Date: 9-28-09

ACKNOWLEDGMENTS

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Fernando Costa, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that (s)he has executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1st day of September, 2009.

Evonia Daniels
Notary Public, State of Texas

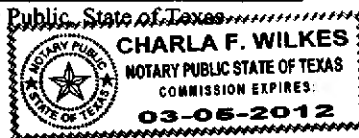


STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Edwin S. Ryan, Jr., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that (s)he has executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28th day of September, 2009.

Charla F. Wilkes
Notary Public, State of Texas



Return to: Bryson G. Kuba
6127 Green Jacket Dr.
Apt. # 1136
Fort Worth, TX 76137